

REMARKS

The Application has been carefully reviewed in light of the Office Action dated September 20, 2002 (Paper No. 8). Claims 1 to 46 are in the application, of which Claims 1, 15, 24, 34 and 38, the independent claims, have been amended herein.

Reconsideration and further examination are respectfully requested.

By the Office Action, Claims 1 to 9, 11 to 27 and 29 to 46 have been rejected under 35 U.S.C. § 103(a) over U.S. Patent 5,826,244 (Huberman) and U.S. Patent 6,324,521 (Shiota).

The present invention generally relates to a virtual market place for providing print service, such as photo print services, over a computer network. According to the present invention, patrons of an interactive print shop can select services offered by the print shop, and the services selected by the patrons of the interactive print shop are supplied by suppliers. Relationships between the interactive print shop and suppliers are established, prior to or after selection of a service by a patron of the interactive print shop, to provide the services to patrons of the interactive shop, and the service providers selected to provide the services are selected by other than the interactive shop.

By this arrangement, relationships can be established between interactive shops and service providers to provide the services offered to patrons of the interactive shop by another entity based on market information and controlled by the criteria established by the interactive shops.

Turning to the specific language of the claims, Claim 1 concerns a method of creating a virtual print market place over a network. Market information comprising an

identity of service providers and the print services and pricing provided by each of the service providers is collected, and criteria established by an interactive shop for selecting service providers to provide the print services offered to patrons of the interactive shop is established. The print services are offered by the interactive shop to its patrons, and one or more service providers identified in the market information are selected to provide the set of print services based on the criteria and the market information, wherein the one or more service providers are selected by other than the interactive shop.

The applied art, namely Huberman and Shiota, is not seen to teach or to suggest selection of one or more service providers to provide the services offered to patrons of the interactive shop, wherein the providers are selected by other than the interactive shop.

Huberman is seen to describe a broker that receives bids from a customer and a supplier and then the broker selects the supplier based on received bids. In the case that the customer initiates the bidding, the customer communicates its request for a suppliers services to the broker who then selects the particular supplier. The broker then supplies the customer with the supplier information so that the customer can accept or decline the transaction involving the supplier, or suppliers, selected by the broker. Accordingly, the broker acts as an intermediary that accepts bids from customers and suppliers and makes a selection from the received bids.

More particularly, the cited portions of Huberman (i.e., col. 3, line 41 to col. 4, line 23, col. 4, line 45 to col. 5, line 32, col. 8, lines 51 to 65, and col. 13, line 54 to col. 14, line 46) are seen to describe an auction in which a customer that needs a document service submits a request, suppliers of the service submit bids, and the broker selects one or

more suppliers and gives the customer the opportunity to accept or decline the transaction involving the supplier(s) selected by the broker.

Nothing in Huberman is seen to teach or to suggest an interactive shop that offers print services to its patrons, wherein the selection of one or more service providers to provide the services offered by the interactive shop is made by other than the interactive shop.

Shiota is not seen to remedy the deficiencies of Huberman. More particularly, Shiota is seen to describe a networked photographic service system in which a customer visits its local minilab to upload digital images to a center server. Thereafter, if the customer elects to order additional prints, the customer does so by accessing the center server and the center server thereafter selects the laboratory that is to fulfill the customer's order. See col. 8, lines 57 to 59 of Shiota.

Shiota, and in particular the cited portions of Shiota (i.e., col. 7, lines 2 to 57), is not seen to teach or to suggest an interactive shop that offers print services to its patrons, wherein the selection of one or more service providers to provide the services offered by the interactive shop is made by other than the interactive shop.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claim 24 is believed to be in condition for allowance for at least the same reasons.

Claim 15 is directed to a method of creating a virtual print market place over a network. Market information comprising an identity of service providers, interactive shops, a standardized set of print services and pricing provided by each of the service providers is collected, a bid is obtained from a service provider that identifies a

print service and terms for providing the print service, and a bid is obtained from an interactive shop identifying the print service and terms for purchasing the print service. Compatibility between the service provider and the interactive shop is determined by other than the interactive shop, and an agreement is established between the service provider and the interactive shop when the terms of the print service and the interactive shop are compatible wherein the service provider agrees to provide and the interactive shop agrees to purchase the service according to the terms.

Based on the above discussions of Huberman or in Shiota, nothing described in these references, either taken alone or in any permissible combination, is seen to teach or to suggest determining by other than the interactive shop compatibility between the service provider and the interactive shop by other than the interactive shop.

Therefore, for at least the foregoing reasons, Claim 15 is believed to be in condition for allowance. Further, Applicants submit that Claim 38 is believed to be in condition for allowance for at least the same reasons.

The remaining claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office by telephone at (714) 540-8700. All correspondence should continue to
be directed to our below-listed address.

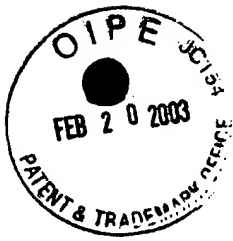
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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Amended) A method of creating a virtual print market place over a network comprising:

collecting market information, the market information comprising an identity of service providers and the print services and pricing provided by each of the service providers;

obtaining criteria established by an interactive shop for selecting service providers to provide the print services offered to patrons of the interactive shop[s]; and

selecting one or more service providers identified in the market information to provide the set of print services based on the criteria and the market information,

wherein the selection of the service providers is performed by other than the interactive shop.

15. (Amended) A method of creating a virtual print market place over a network comprising:

collecting market information, the market information comprising an identity of service providers, interactive shops, a standardized set of print services and pricing provided by each of the service providers;

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obtaining a bid from a service provider identifying a print service and terms for providing the print service;

obtaining a bid from an interactive shop identifying the print service and terms for purchasing the print service; [and]

determining compatibility between the service provider and the interactive shop; and

establishing an agreement between the service provider and the interactive shop when the terms of the print service and the interactive shop are compatible, wherein the service provider agrees to provide and the interactive shop agrees to purchase the service according to the terms, and

wherein the determination is made by other than the service provider and the interactive shop.

24. (Amended) A computer-readable memory medium storing computer-executable process steps to create a virtual print market place over a network, the steps comprising.

a collecting step to collect market information, the market information comprising an identity of service providers and the print services and pricing provided by each of the service providers;

an obtaining step to obtain criteria established by an interactive shop for selecting service providers to provide print services offered to patrons of the interactive shop[s]; and

a selecting step to select one or more service providers identified in the market information to provide the set of print services based on the criteria and the market information,

wherein the selection of the service providers is performed by other than the interactive shop.

38. (Amended) A computer-readable memory medium storing computer-executable process steps to create a virtual print market place over a network, the steps comprising:

a collecting step to collect market information, the market information comprising an identity of service providers, interactive shops, a standardized set of print services and pricing provided by each of the service providers;

an obtaining step to obtain a supply bid from a service provider identifying a print service and terms for providing the print service;

an obtaining step to obtain a purchase bid from an interactive shop identifying the print service [ervice] and terms for purchasing the print service; [and]

a determining step to determine compatibility between the service provider and the interactive shop; and

an establishing step to establish an agreement between the service provider and the interactive shop when the terms of the print service and the interactive shop are compatible, wherein the service provider agrees to provide and the interactive shop agrees to purchase the print service according to the terms, and

wherein the determination is made by other than the service provider and the interactive shop.